

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

RIVER OAKS HOMES ASSOCIATION,

Respondent,

v.

ZERIA LOUNCE, Individually and as Trustee of the ZERIA LOUNCE REVOCABLE TRUST,
Appellants.

DOCKET NUMBER WD73608

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: January 17, 2012

APPEAL FROM

The Circuit Court of Jackson County, Missouri
The Honorable Twila K. Rigby, Judge

JUDGES

Division Three: Mitchell, P.J., and Smart and Witt, JJ.

CONCURRING.

ATTORNEYS

Patrick B. Starke
Blue Springs, MO

Attorney for Respondent,

James B. Jackson
Independence, MO

Attorney for Appellants.

MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

record when the assessments at issue were made. As such, Lounce individually is not liable for the unpaid assessments.

The Appellants' remaining objections to the assessments are waived because they are affirmative defenses and were not included with Appellants' other affirmative defenses in their answer or raised in any manner until the day of trial.

Opinion by: Karen King Mitchell, Presiding Judge

January 17, 2012

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THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.